

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

Janet O. Oludoyi

Case No.:

15-28974-CMG

Judge:

Gravelle

Chapter:

13

Debtor(s)

Chapter 13 Plan and Motions

☐ Original

☒ Modified/Notice Required

☒ Discharge Sought

☒ Motions Included

☐ Modified/No Notice Required

☐ No Discharge Sought

Date: 02/22/2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 500.00 per month to the Chapter 13 Trustee, starting on 12/01/2016 for approximately 16 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☒ Other sources of funding (describe source, amount and date when funds are available):

Other sources of funding - non-exempt proceeds from potential personal injury suit

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Lee M. Perlman, Esquire	Attorney's fees	\$2,945.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Nationstar Mortgage Llc Flagstar Bank	135 Sharpless Blvd 135 Sharpless Blvd	\$205,000.00 \$205,000.00	\$293,803.00 \$65,394.39

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☒ Not less than _____ 100 _____ percent
- ☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Lee M. Perlman, Esquire
- 3) Unsecured
- 4) _____

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: _____.

Explain below **why** the plan is being modified:
To surrender the house.

Explain below **how** the plan is being modified:
Removing the mortgage arrears and making it 100% to the unsecured creditors.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 02/22/2017

/s/ Lee M. Perlman
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 02/22/2017

/s/ Janet O. Oludoyi
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Janet O. Oludoyi
 Debtor

Case No. 15-28974-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 22

Date Rcvd: Feb 23, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 25, 2017.

db Janet O. Oludoyi, 135 Sharpless Blvd, Westampton, NJ 08060-5631
 515781832 +Capital Mgmt Maintenance, PO Box 864964, Orlando, FL 32886-4964
 515781833 Citibank/the Home Depot, Citicorp Credit Svcs/Centralized Bankrup, PO Box 790040,
 Saint Louis, MO 63179-0040
 515781835 +Convergent Outsourcing, 800 Sw 39th St, Renton, WA 98057-4975
 515781837 +Dsnb Macys, 9111 Duke Blvd, Mason, OH 45040-8999
 515781838 +Eos Cca, Po Box 981008, Boston, MA 02298-1008
 515781841 McCabe, Weisberg & Conway, PC, 216 Haddon Ave Ste 303, Haddon Township, NJ 08108-2811
 515848060 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage LLC, P.O. Box 619096, Dallas, TX 75261-9741)
 515781843 +Orange Lake Resort & Country Club, PO Box 791362, Baltimore, MD 21279-1362
 515781845 Wells Fargo Card Ser, 1 Home Campus, 3rd Floor, Des Moines, IA 50328-0001

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. smg

E-mail/Text: usanj.njbankr@usdoj.gov Feb 23 2017 22:35:13 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Feb 23 2017 22:35:11 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 cr +E-mail/Text: equiles@philapark.org Feb 23 2017 22:35:56 Philadelphia Parking Authority,
 701 Market St, Philadelphia, PA 19106-2895
 515781831 E-mail/Text: g20956@att.com Feb 23 2017 22:35:44 AT&T Mobility, PO Box 537113,
 Atlanta, GA 30353-7113
 515781834 E-mail/Text: equiles@philapark.org Feb 23 2017 22:35:57 City Of Philadelphia,
 PO Box 41818, Philadelphia, PA 19101-1818
 515790996 E-mail/Text: mrdiscen@discover.com Feb 23 2017 22:34:22 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 515781836 +E-mail/Text: mrdiscen@discover.com Feb 23 2017 22:34:22 Discover Fin Svcs Llc,
 Po Box 15316, Wilmington, DE 19850-5316
 515781839 E-mail/Text: cashiering-administrationservices@flagstar.com Feb 23 2017 22:35:47
 Flagstar Bank, Attn: Bankruptcy Dept, 5151 Corporate Dr, Troy, MI 48098-2639
 515807590 +E-mail/Text: equiles@philapark.org Feb 23 2017 22:35:56 Philadelphia Parking Authority,
 701 Market St., Ste. 5400, Philadelphia, PA 19106-2895
 515897952 E-mail/Text: appebnmailbox@sprint.com Feb 23 2017 22:35:08 Sprint, Attn Bankruptcy Dept,
 PO Box 7949, Overland Park KS 66207-0949
 515781844 E-mail/Text: appebnmailbox@sprint.com Feb 23 2017 22:35:08 Sprint, PO Box 8077,
 London, KY 40742-8077
 515781846 E-mail/Text: BKRMailOps@weltman.com Feb 23 2017 22:35:17 Weltman, Weinberg & Reis Co,
 325 Chestnut St Ste 501, Philadelphia, PA 19106-2605

TOTAL: 12

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

515781840* Flagstar Bank, Attn: Bankruptcy Dept, 5151 Corporate Dr, Troy, MI 48098-2639
 515781842* ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage Llc, Attn: Bankruptcy, 350 Highland Dr,
 Lewisville, TX 75067-4177)

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 25, 2017

Signature: /s/Joseph Speetjens

District/off: 0312-3

User: admin
Form ID: pdf901

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Total Noticed: 22

Date Rcvd: Feb 23, 2017

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 22, 2017 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Christopher G. Cassie on behalf of Debtor Janet O. Oludoyi ecf@newjerseybankruptcy.com,
lmpcourt@gmail.com
Denise E. Carlon on behalf of Creditor NATIONSTAR MORTGAGE LLC
bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor Nationstar Mortgage LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Lee Martin Perlman on behalf of Debtor Janet O. Oludoyi ecf@newjerseybankruptcy.com,
lmpcourt@gmail.com

TOTAL: 6